KAYSVILLE CITY COUNCIL

Meeting Minutes

August 17, 2017

Meeting minutes of a Kaysville Regular City Council Meeting on August 17, 2017, at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

Present: Council Member Snell, Council Member Page, Council Member Garn, Council Member Adams.

Excused: Mayor Hiatt, Council Member Lee.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, City Recorder Maria Devereux, Chief Sol Oberg, Katie Witt, Dean Wall, Rustin Jessen, Randi Von Bose, Hal Anderson, Jim Puffer, Jill Puffer, Kate Hart, Sidney Page, Breann Christophereson, Sue Tice, Scott Morris, Lorene Kamalu, Melissa Mcentire, Nancy Villamizar, Paul Wright, Chase Freebairn, Paul Hansen, and Steve Einfeldt.

CALL TO THE PUBLIC

Council Member Snell, Mayor Pro Tem, opened Call to the Public and explained that the public may address agenda items and limit comments to three minutes.

Dean Wall inquired about 'no parking' signs and noted they haven't been installed and erected yet.

Tammy Wursten noted that the Pickleball courts are well used and the new lighting works well for the players.

Andy Thompson, City Engineer, stated that signs have been ordered and should be installed next week.

CONTRACT WITH JRCA ARCHITECTS, INC.

Shayne Scott, City Manager, explained that JRCA is an architectural firm that has been working with the City the past several years on a variety of projects including the police station and the facilities master plan. He noted that it was their knowledge of the latter that encouraged staff to engage them in the work necessary to develop plans for the Old Library. Over the past several months City staff has been working with JRCA on a plan for the Old Library and feels it is time that they formalize a relationship with JRCA on current and future work to the Old Library building.

Council Member Garn made a motion to accept the contract with JRCA, second by Council Member Page.

Council Member Snell noted that there has been a committee that has met and discussed the purposes of the old library building. He noted that there is a need to use the space and that the building has been unoccupied for several years.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Excused
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero.

BUCKET TRUCK PURCHASE FOR PARKS AND RECREATION.

Cole Stephens, Parks and Recreation Superintendent, explained that the current bucket truck is a 1999 Ford. In December of 2016, the truck began to experience chassis problems along with hydraulic issues of the aerial boom. January of 2017 it was deemed unsafe for operation by our City mechanics. In the FY18 Parks and Recreation budget was approved for the purchase of a used bucket truck. Purchasing a used vehicle is different than purchasing a new one, when trying to compare price. In purchasing a used vehicle many factors are considered such as; age, mileage, previous owner, availability, type of work performed previously, etc. He noted that in July 2017 they began to search for used bucket trucks both locally and out of state. They received 5 vehicle quotations from both in state and out of state. After reviewing and consulting with the mechanics, suppliers and staff, it was determined AltecNUECO best fit what the needs of Parks staff and the mechanics from a serviceability side.

Cole Stephens explained that the purchase is $35,000 less than originally budgeted.

Council Member Page made a motion to direct staff to purchase the bucket truck for $61,000.00, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Excused
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero.

<u>CONSIDERATION FOR THE DISCHARGE OF SHOTGUNS FOR THE PURPOSE OF PHEASANT HUNTING AS PERMITTED WITHIN KAYSVILLE CITY</u>

Shayne Scott, City Manager, explained Jeff Holmes is petitioning the City for permission to hunt on his property again for the 2017-2018 season. The proposal previously submitted and approved from 2015 and 2016 allowed Mr. Homes to hunt within a small section of a field within the west Kaysville City boundary. He explained that with the proposed highway this opportunity will certainly disappear over the next few years, so Mr. Holmes would really like to take advantage of the short time before that happens. Although there has been continued development, the logistics of the surrounding growth hasn't changed as far as the proximity of any new structures that would be of concern or conflict.

Council Member Garn made a motion to approve the hunting of water fowl within a small section within the west Kaysville City boundary, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Excused
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero.

<u>UTOPIA FRANCHISE AGREEMENT PETITION</u>

Shayne Scott, City Manager, explained that UTOPIA Fiber Networks has made an application to operate telecommunication facilities and use the public rights-of-way. UTOPIA has successfully met all the application requirements and now requests a Franchise Agreement He noted that Staff and the City Attorney have reviewed the Agreement and recommend the adoption of the Franchise Agreement.

Council Member Page made a motion to adopt the agreement with UTOPIA Fiber Networks, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, excused
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero.

ROUCHE LANE PONDS AGREEMENT

Shayne Scott, City Manager, stated that for several years City staff has been working with private ponds owners regarding work around the Roueche Lane ponds. This item is addressing an agreement to allow City storm water into these privately owned ponds. The City has completed some work in and around these ponds to mitigate flooding concerns. He explained that in order to continue to complete needed work in the area, it is important to staff that we have an agreement that allows the City to use these ponds for storm water runoff while also outlining what the City's responsibilities are as well as what the resident's responsibilities are moving forward over the next few years.

Mr.Terry, resident, explained that he appreciates the discussion between neighbors, Council and City staff. He noted that the City is growing and is happy with the agreement. He noted that if the agreement is the first step in fixing the issues.

Scott Hirschi, resident, stated that he appreciates the Council and staff trying to help with this issue. He explained that the agreement is satisfactory but would like it to be more detailed.

Council Member Page made a motion to approve the Rouche Lane Ponds Agreement, second by Council Member Garn.

Council Member Page asked for clarification, he asked about the history of the ponds.

Shayne Scott, City Manager, noted that the agreement will be not be valid unless the parties involved agree.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Excused
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero.

CONSIDERATION OF DEVELOPMENT AGREEMENT AND REZONE OF 2.84 ACRES OF PROPERTY FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO THE HC (HEALTH CARE) ZONING DISTRICT.

Andy Thompson, City Engineer, explained that the applicant has submitted a request to rezone the subject property to the HC zoning district for the purpose of accommodating an assisted living center. The property fronts Main Street and is surrounded by the R-1-8 zoning district with the exception of the PU zoning district across the street where the USU Botanical Center is located. He explained that as proposed the only access to the assisted living center would be from Main Street by means of access immediately across from Burton Lane. The facility is proposed with 75 rooms. The zoning requires that the rezone be accompanied with a development agreement. The development agreement ensures that with the rezone the building as proposed will be what is ultimately built including architecture and site layout details.

Council Member Garn inquired about parking and the number of parking stalls.

Mr. Whitaker noted that there would be approximately 35 parking stalls in the front for staff and family and explained that people in the Type II assisted living facility aren't usually able to drive.

Council Member Page made a motion to approve the development agreement and the rezone of 2.84 acres of property from R-1-8 (single family residential) to the Health Care zoning district, second by Council Member Garn.

Council Member Garn stated that this is a good location with an exit onto Main Street.

Council Member Snell noted that Mr. Whitakers properties are well taken care of.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Abstain
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero with one abstention.

SUNSET EQUESTRIAN ESTATES PLAT 18

Andy Thompson, City Engineer, explained that Phase 18 consists of eleven lots on a cul-de-sac just south of the church on Angel Street. The improvements have now been completed and the developer has requested that they be accepted. He stated that City staff has inspected the improvements and found them to be acceptable.

Council Member Page made a motion to accept the improvements to Sunset Equestrian Estates Plat 18, second by Council Member Garn

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Abstain
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed three to zero with one abstention.

MINUTES

Minutes of August 3, 2017 will be reviewed and approved at the next meeting.

CALENDAR ITEMS

The current calendar items are listed on the website.

COUNCIL MEMBER REPORTS

Mayor Hiatt explained that August 24, 2017 is the official Primary Election Canvass and noted that a special meeting will need to be held.

Council Member Snell noted that Pickleball has generated a nice revenue thus far. He noted that the game of Pickleball has brought many people from the community together. He praised the efforts of Tammy Wursten and the volunteers that worked hard to bring courts to Kaysville City.

CLOSED SESSION

Council Member Adams, made a motion to enter into closed session at 9:05 pm, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Yea
Council Member Garn, Yea
Council Member Lee, Excused

The motion passed unanimously.

Closed Meeting Pursuant to Utah Code Annotated §52-4-205 Strategy session to discuss pending or reasonably imminent litigation.

Council Member Garn made a motion to move out of closed session, second by Council Member Page and passed three to one.

AUTHORIZATION TO MEDIATE BRIDGE SETTLEMENT

Shayne Scott, City Manager, explained that City staff is looking for the ability to mediate the bridge settlement. He noted that this matter will be moving forward for mediation in the near future.

Council Member Page made a motion to authorize staff to mediate the bridge settlement, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea
Council Member Page, Yea
Council Member Adams, Nay
Council Member Garn, Yea
Council Member Lee, Excused

The motion passes three to one.

ADJOURNMENT

Council Member Page made a motion for adjournment 10:26p.m., second by Council Member Garn and passed unanimously.

____
Maria Devereux/City Recorder